

REMARKS

Claims 1-5 and 7-13 are pending in the current application. Claims 1-5 and 7-13 currently stand rejected, and claims 1, 5, and 10 have been amended. The Examiner indicates allowable subject matter in all claims 1-5 and 7-13, and Applicants thank the Examiner for so noting. Reconsideration and allowance of the present application are respectfully requested in light of the preceding amendments and following remarks.

Examiner Interview

Applicants thank the Examiner for granting the interview of June 11 with Applicants' representatives. During the interview, the parties discussed the rejections under § 112, first paragraph exclusively. No agreement with regard to the rejection to the "if . . ." clause was reached; however, the Examiner indicated that she would discuss with her supervisor the negative limitation of "not generated when flow or frequency alone change" in light of specific discussion of the table and figures of the specification as filed. Applicants provide comments below reiterating that discussion with regard to adequate written description of this claim phrase.

Claim Rejections – 35 U.S.C. § 112

Claims 1-13 stand rejected under 35 U.S.C. § 112, first paragraph as failing to comply with the written description requirement. Applicants respectfully traverse this rejection for the reasons detailed below.

With regard to claim 1, the Examiner rejects the "if . . ." conditional clause and the negative limitation "not generated when flow or frequency alone change" as lacking written description in the specification. Although Applicants submit that the "if . . ." conditional phrase

is described in ¶ [0018] of the specification as filed, Applicants have cancelled this phrase from the claims in order to expedite prosecution.

With regard to the negative limitation that registration messages are “not generated when flow or frequency alone change,” Applicants respectfully submit that Table 1 of the specification as filed in conjunction with FIGS. 1A-2D illustrate and describe a hybrid system that does not generate registration messages when flow alone changes (“N” under hybrid in Table 1 for scenario depicted in FIG. 1A, where only flow changes) or when frequency alone changes (“N” under hybrid in Table 1 for scenario depicted in FIG. 2B, where only frequency changes). Thus, Applicants’ possession of the described hybrid registration system is possession of a scheme that does not generate registration messages when flow or frequency alone change, as recited in claim 1. Applicants earnestly solicit the Examiner to discuss this table 1 and at least FIGS. 1A and 2B with her supervisor, as Applicants respectfully submit that these disclosures as filed clearly show possession of the negative claim term. Withdrawal of the rejection under 35 U.S.C. § 112, ¶ 1 to claims 1-5 and 7-13 is respectfully requested.

Rejections under 35 U.S.C. §102

Claims 1-3, 5, 7-8, and 10-11 stand rejected under 35 U.S.C. §102(e) as being anticipated by US Pat Pub 2003/0114177 to Sinnarajah et al. (“Sinnarajah”); however, the Examiner indicates that each of these claims includes allowable subject matter. Applicants agree that the claims include allowable subject matter and offer the following remarks as confirmation of the same.

Applicants respectfully submit that claims 1, 5, and 10 recite that registration messages are not generated “when flow or frequency alone change.” Sinnarajah teaches that registration messages are generated when flow changes with no change in frequency. See Sinnarajah, ¶

[0070]. Sinnarajah further teaches registration message generation when frequency changes with no disclosed change in flow. See Sinnarajah, ¶ [0069]. The system recited in the claims would not generate registration messages in these instances, and thus Sinnarajah fails to disclose the registration timing of the claims as amended.

Because Sinnarajah fails to teach or suggest each and every feature of claims 1, 5, and 10, Sinnarajah cannot anticipate or render obvious these claims. Claims 2-4, 6-9, and 11- 13 are allowable at least for depending from an allowable base claim. Therefore, Applicants respectfully request that claims 1-3, 5, 7-8, and 10-11 be allowed.

Rejections Under 35 U.S.C. § 103

Claims 1-13 stand rejected under 35 U.S.C. §103(a) as being unpatentable over SWG23 BCMCS ADHOC: “Signaling Support for 1x BCMCS” (“3G-1x-BCMCS”) in view of Sinnarajah; however, the Examiner indicates that each of these claims includes allowable subject matter. Applicants agree that the claims include allowable subject matter and offer the following remarks as confirmation of the same.

As the Examiner admits, 3G-1x-BMCS does not cure the disclosure and suggestion deficiencies of Sinnarajah discussed above. Particularly, 3G-1x-BMCS discloses that registration messages are generated in response to an individual change in flow or frequency. See 3G-1x-BCMCS, pg. 26, ll. 8-10, 35-39; pg. 28, ll. 16-22; pg. 30, ll. 27, 31-35. Because 3G-1x-BMCS, alone or in combination with Sinnarajah, fails to teach or suggest each and every feature of the claims as amended, these references cannot anticipate or render obvious claims 1-13. Therefore, Applicants respectfully request that this rejection of claims 1-13 under 35 U.S.C. §103 be withdrawn.

Entry of Amendment Requested

Entry of the amendments to the claims after final is respectfully requested, as the amendments introduce no new matter requiring further search or consideration. Particularly, because Applicants are merely cancelling claim terms, the Examiner has already searched and considered all remaining terms. Further, the above amendments at least put the application in better form for appeal by clearing § 112, first issues. Entry of the above amendments after final is respectfully requested.

CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the rejections and allowance of each of claims 1-5 and 7-13 in connection with the present application is earnestly solicited.

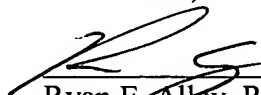
Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By



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